

REMARKS

In this amendment, Applicant argues some of the art rejections and the Examiner's response to Applicant's previous arguments, and amends several claims not because of any statutory problems, but rather to cover different embodiments of the invention, all without introducing any new matter.

Addressing first the Examiner's response to Applicant's previous arguments, the response appearing at pages 9 and 10 of the Final Office Action, the Examiner disagreed with Applicant's previous arguments that U.S. Patent No. 6,202,090 issued to Simone ("Simone") does not disclose loading a bootstrap program into an area of memory that was occupied by a run time program. Specifically, the Examiner pointed to column 3, lines 48-60 of Simone, "wherein a bootstrap program is inclusive in an operating routine (line 49) wherein, upon reset, the bootstrap program and the operating routine are loaded in the same area of memory. Since these routines are inclusive of each other, when the system is reset, the boot-up routine is reset and loaded into the same area of the operating routine." Applicant respectfully disagrees with this interpretation of Simone.

The cited portion of column 3 in Simone, describes how a memory 22 includes operating routines 62, a shut down routine 64, a compression routine 66, and a **copy routine 67**. The operating routines 62 include **boot-up** routines, routing protocols, device drivers, configuration routines, etc. Thus, it is important to note at the outset that in Simone, the copy routine 67 is not part of or included in any **boot-up routine**. This is important because the Final Office Action appears to analogize the copy routine 67 of Simone to Applicant's claimed *bootstrap program*. Accordingly, under no circumstances does Simone teach or suggest that the copy routine 67 be loaded into an area of memory that was occupied by the operating routines 62. This, of course, is clear when looking at Fig. 2 of Simone showing the flash core copy routine 67 separate from and not included in the operating routines 62. Accordingly, the Examiner's argument at page 9 of the Final Office Action that Simone's *bootstrap program* is inclusive of its operating routines 62 is incorrect.

With respect to claim 19, where the Examiner, also at page 9, explains why the claimed limitations of *the processor configured by a bootstrap program to capture a memory image of the memory after the processor is reset when an error occurs while executing a run time program*, Applicant has in response amended claim 19 to distinguish the repetitive process in Fig. 3 of Simone. In particular, claim 19 now refers to the processor being able to *capture a memory image of the memory in response to the processor being reset when an error occurs while executing a run time program*. In other words, the decision to capture a memory image is made in response to the processor being reset when an error occurs while executing the run time program. Simone in Fig. 3 illustrates that the network device is reset in response to a temporary buffer that stores compressed core data becoming empty. Thus, Simone does not teach or suggest the *capture of a memory image in response to the processor being reset when an error occurs while executing a run time program*.

Turning now to claim 10, this claim stands rejected as being obvious in view of Simone, where the Examiner on page 6 states that Simone teaches in its Background section “the utilization of a service module not having a persistent storage capability for a core dump. It would have been obvious ... to exclude a persistent storage capability for a core dump in the invention of Simone ... because Simone teaches that compressing a core dump into a flash memory is a cost-effective method to save space on the service module since flash memories can be expensive (column 1, lines 58-62).” Applicant respectfully disagrees.

In its Background, Simone discloses that a typical method is to transfer the core dump externally, to save money on not having to use expensive, persistent memory locally. Simone then discloses the solution of adding persistent memory locally, sufficient to store a compressed version of the core data. It, therefore, makes no sense to argue that this would suggest to one of ordinary skill in the art to further modify the core compression methodology in Simone and **remove the persistent memory**. Applicant respectfully reminds the Examiner that claim 10 has been rejected as being an obvious variation of Simone, therefore requiring that Simone be modified to arrive at Applicant’s claim 10. It is respectfully submitted that at the top of page 7 of the Final Office Action, where the Examiner refers to the Background of Simone as being

motivation to further modify itself, is an improper basis for finding that one of ordinary skill in the art would further modify Simone to go back to the situation of a router without any persistent storage capability locally for a core dump.

Nevertheless, Applicant has amended claim 10 with subject matter that also distinguishes Simone, without introducing any new matter. Support for the amended language can be found in the Specification as filed, Figs. 3A-3B and paragraph [0020]. There is no teaching or suggestion in Simone that a bootstrap program be loaded into an area of memory of a service module occupied by a run time program, in a way that overwrites a code section, and not a data section, of the run time program. Independent claim 22 has also been amended with similar subject matter, again without introducing any new matter.

Any dependent claims not mentioned above are submitted as being neither anticipated nor obvious for at least the reasons given above in support of their base claims. It is noted that the amendment to claim 2 adds no new matter, see for example the Specification as filed, paragraph [0021], describing the service module 205 as including a core dump slave task 215 that is part of the bootstrap program running in the service module 205, which communicates with a core dump master task 220 in the control module.

As to dependent claim 6, this claim has also been amended without introducing any new matter, fully supported in the Specification as filed, paragraph [0032].

Similar amendments are made to dependent claims 11 and 15, without introducing any new matter.

As to dependent claim 13, this claim has been amended with subject matter that is found in the Specification as filed, at paragraphs [0020] and [0022]. No new matter has been added there either.

CONCLUSION


In sum, a good faith attempt has been made to explain why the rejection is improper and to present claims that are believed to be in proper form for allowance.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on November 7, 2005.


Margaux Rodríguez November 7, 2005